

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 666 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE H.H.MEHTA

- =====
1. Whether Reporters of Local Papers may be allowed : YES
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

SOBHNABEN BHANUKUMAR NATHWANI

Versus

BINDUBEN ARVINDBHAI SOJITRA

Appearance:

MS NAYANA V PANCHAL for Appellant.
MR YS Vyas for M/S TRIVEDI & GUPTA for
Respondent No. 1

CORAM : MR.JUSTICE H.H.MEHTA

Date of decision: 20/10/2000

ORAL JUDGEMENT

This appeal is at the admission stage. With the consent of both the parties, this appeal is taken up for final hearing, to day. Notice issued in this appeal has been waived by Mr. V.S.Vyas, learned Advocate for and on

behalf of M/s.Trivedi & Gupta, learned advocates for the respondent no.1.

2. Heard the learned advocates for both the parties.

As this appeal is taken up for final hearing, the learned advocates for both the parties jointly submitted that this appeal be disposed of finally by giving suitable directions to the learned Judge of the Trial Court, and further that reasons be not given in this Judgment by this Court.

3. Having heard the learned advocates for both the parties, and on going through the grounds of appeal and on taking into consideration the rival contentions of both the parties, this Court is of the view that this appeal is required to be disposed of by giving following suitable directions to the learned Judge of the Trial Court:-

(1) The learned Judge of the trial Court shall dispose of Special Civil Suit No. 198 of 1998 which is pending on the file of the learned Civil Judge (S.D.), Rajkot as early as possible, preferably within one year from the date of receipt of writ of this Judgment, by affording full opportunity of being heard to both the parties, without being influenced by order of this Court as well as impugned order dt. 14th June, 1999 passed below Ex.5, which is challenged in this appeal.

(2) Both the parties are directed to extend fullest co-operation to the learned Judge of the trial Court so as to enable him to dispose of the suit within the stipulated time given in Para 3(1) hereinabove.

(3) The order dt. 14th June, 1999 passed below Ex.5 in the aforesaid suit shall continue to remain operative and effective till final disposal of the suit.

4. In view of the above directions, this appeal stands disposed of accordingly. There shall be no order as to costs.

Date:20/10/2000. (H.H.MEHTA,J.)

ccshah